

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ALBERTO AVILA CARDENAS,

Petitioner,

Case No. 2:19-1148-MJP

V.

JERI BOE,

## Respondents.

## ORDER OF DISMISSAL

The Court, having reviewed Petitioner's 28 U.S.C. § 2254 habeas petition (Dkt. No. 1),

## the Report and Recommendation of the Honorable Brian A. Tsuchida, Chief United States

Magistrate Judge (Dkt. No. 18), and noting that no objections have been filed thereto, finds and

**ORDERS** as follows:

1. The Report and Recommendation is **ADOPTED**;
2. Petitioner's Motion for Leave of the Court to Conduct Discovery and Expansion of the Record with Appointment of Counsel (Dkt. No. 17) is **DENIED**;
3. Petitioner's 28 U.S.C. § 2254 habeas petition is **DISMISSED WITH PREJUDICE**;
4. Petitioner is **DENIED** issuance of a certificate of appealability; and
5. The Clerk shall send a copy of this Order to the parties.

1 DATED this 18th day of February, 2020.  
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7 Marsha J. Pechman  
8 United States Senior District Judge  
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